

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Diane M. Lavender**  
**fka Diane M. Marion**  
Debtor(s)

Bankruptcy Case No.: 20-21180-CMB  
5/27/2021  
Chapter: 13  
Docket No.: 38 – 34, 35  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 4/6/2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PA Cl. 10, US Bank Cl 4 with all payment changes .
- ☒ H. Additional Terms: Fee application needed if any fee (including retainer) exceeds \$4,000 including any fees paid to prior counsel.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: May 28, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Diane M. Lavender  
Debtor

Case No. 20-21180-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: May 28, 2021

User: dsaw  
Form ID: 149

Page 1 of 3  
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 30, 2021:

Recip ID	Recipient Name and Address
db	+ Diane M. Lavender, 1040 Universal Road, Pittsburgh, PA 15235-3859
cr	+ U.S. Bank National Association,, Robertson, Anschutz, Schneid & Crane LLC, 10700 Abbotts Bridge Road, Suite 170, Duluth, GA 30097-8461
15226623	++ BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238 address filed with court:, Bank Of America, 4161 Piedmont Pkwy, Greensboro, NC 27410
15226625	++ COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477 address filed with court:, Collection Service Cen, P.O. Box 14931, Pittsburgh, PA 15234
15226627	+ Commonwealth Financial Systems, 245 Main Street, Dickson City, PA 18519-1641
15226630	+ Dollar Bank, 2700 Liberty Avenue, Pittsburgh, PA 15222-4700
15226633	+ First Premier, 601 S. Minnesota Ave, Suite 208, Sioux Falls, SD 57104-4824
15226634	+ Lamont Hanley & Associates, 1138 Elm Street, Manchester, NH 03101-1531
15226636	+ People Gas, PO BOX 644760, Pittsburgh, PA 15264-4760
15226637	+ Peoples Natural Gas, P.O. Box 644760, Pittsburgh, PA 15264-4760
15230282	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Avenue, Pittsburgh, PA 15233-1828
15226639	+ Professional Account Management In., P.O. BOX 391, Milwaukee, WI 53201-0391
15226640	+ The Wilkinsburgh Penn Joint Water Author, 2200 Robinson Blvd, Pittsburgh, PA 15221-1193
15236234	+ U.S. Bank National Association, ATTN: Bankruptcy Dept, PO Box 619096, Dallas, TX 75261-9096
15240413	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15240414	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15226644	+ Wilkinsburgh-Penn Joint Water Authority, 2200 Robinson Blvd, Wilkinsburg, PA 15221-1193

TOTAL: 17

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15226622	+ Email/Text: EBNProcessing@afni.com	May 29 2021 00:51:00	AFNI, Inc., 404 Brock Drive, Bloomington, IL 61701-3963
15226624	+ Email/Text: bankruptcy@clearviewfcu.org	May 29 2021 00:51:00	Clearview Federal Cu, 8805 University Blvd, Moon Township, PA 15108-4212
15226626	+ Email/Text: bankruptcy@firstenergycorp.com	May 29 2021 00:51:00	Collection Service Cen, 839 5th Ave, New Kensington, PA 15068-6303
15226686	+ Email/Text: ebnnotifications@creditacceptance.com	May 29 2021 00:50:00	Credit Acceptance, 25505 W 12 Mile Rd, Ste 3000, Southfield MI 48034-8331
15250733	+ Email/Text: kbarkley@bernsteinlaw.com	May 29 2021 01:47:00	Duquesne Light Company, c/o Bernstein-Barkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15226631	+ Email/Text: kbarkley@bernsteinlaw.com	May 29 2021 01:47:00	Duquesne Light Company, Payment Processing Center, Pittsburgh, PA 15267-0001
15236411	Email/PDF: resurgentbknofications@resurgent.com	May 29 2021 02:06:27	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

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15226635	+ Email/Text: bankruptcydepartment@tsico.com	May 29 2021 01:47:00	NCO Fin/99, P.O. Box 15636, Wilmington, DE 19850-5636
15226638	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	May 29 2021 02:04:02	Portfolio Recovery Associates, LLC, Riverside Commerce Center, 120 Corporate Blvd., Ste 100, Norfolk, VA 23502
15307677	Email/Text: RVSVCBICNOTICE1@state.pa.us	May 29 2021 00:51:00	Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, Pa. 17128-0946
15226642	+ Email/Text: EBankruptcy@UCFS.NET	May 29 2021 01:47:00	United Consumer Financial, 865 Bassett Road, Weatlake, OH 44145-1194
15226643	+ Email/Text: wfmelectronicbankruptcynotifications@verizonwireless.com	May 29 2021 00:49:00	Verizon, 500 Technology Drive, Suite 300, Weldon Spring, MO 63304-2225
15247779	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	May 29 2021 02:06:29	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 13

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
cr	*+	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15230380	*+	AFNI, Inc., 404 Brock Drive, Bloomington, IL 61701-3963
15230381	*P++	BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238, address filed with court., Bank Of America, 4161 Piedmont Pkwy, Greensboro, NC 27410
15230383	*P++	COLLECTION SERVICE CENTER INC, 363 VANADIUM ROAD, STE 109, PITTSBURGH PA 15243-1477, address filed with court., Collection Service Cen, P.O. Box 14931, Pittsburgh, PA 15234
15230382	*+	Clearview Federal Cu, 8805 University Blvd, Moon Township, PA 15108-4212
15230384	*+	Collection Service Cen, 839 5th Ave, New Kensington, PA 15068-6303
15226628	*+	Commonwealth Financial Systems, 245 Main Street, Dickson City, PA 18519-1641
15230385	*+	Commonwealth Financial Systems, 245 Main Street, Dickson City, PA 18519-1641
15230386	*+	Deca Financial Services, 12175 Visionary Way, Fishers, IN 46038-3069
15230387	*+	Dollar Bank, 2700 Liberty Avenue, Pittsburgh, PA 15222-4700
15230388	*+	Duquesne Light Company, Payment Processing Center, Pittsburgh, PA 15267-0001
15230389	*+	Escallate LLC, 5200 Stoneham Road, Suite 200, North Canton, OH 44720-1584
15230390	*+	First Premier, 601 S. Minnesota Ave, Suite 208, Sioux Falls, SD 57104-4824
15230391	*+	Lamont Hanley & Associates, 1138 Elm Street, Manchester, NH 03101-1531
15230392	*+	NCO Fin/99, P.O. Box 15636, Wilmington, DE 19850-5636
15230395	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court., Portfolio Recovery Associates, LLC, Riverside Commerce Center, 120 Corporate Blvd., Ste 100, Norfolk, VA 23502
15230393	*+	People Gas, PO BOX 644760, Pittsburgh, PA 15264-4760
15230394	*+	Peoples Natural Gas, P.O. Box 644760, Pittsburgh, PA 15264-4760
15230396	*+	Professional Account Management In., P.O. BOX 391, Milwaukee, WI 53201-0391
15230397	*+	The Wilkinsburgh Penn Joint Water Author, 2200 Robinson Blvd, Pittsburgh, PA 15221-1193
15230398	*+	Trident Asset Management, 5755 N. Point Pkwy, Suite 12, Alpharetta, GA 30022-1136
15230399	*+	United Consumer Financial, 865 Bassett Road, Weatlake, OH 44145-1194
15230400	*+	Verizon, 500 Technology Drive, Suite 300, Weldon Spring, MO 63304-2225
15230401	*+	Wilkinsburg-Penn Joint Water Authority, 2200 Robinson Blvd, Wilkinsburg, PA 15221-1193
15226629	##+	Deca Financial Services, 12175 Visionary Way, Fishers, IN 46038-3069
15226632	##+	Escallate LLC, 5200 Stoneham Road, Suite 200, North Canton, OH 44720-1584
15226641	##+	Trident Asset Management, 5755 N. Point Pkwy, Suite 12, Alpharetta, GA 30022-1136

TOTAL: 1 Undeliverable, 25 Duplicate, 3 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities

District/off: 0315-2

User: dsaw

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Date Rcvd: May 28, 2021

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**in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 30, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 28, 2021 at the address(es) listed below:**

Name	Email Address
Charles Griffin Wohlrab	on behalf of Creditor U.S. Bank National Association cwohlab@raslg.com
David Neeren	on behalf of Creditor U.S. Bank National Association dneeren@rasnj.com
Franklin L. Robinson, Jr.	on behalf of Debtor Diane M. Lavender frobi69704@aol.com flrlegal@excite.com;robinsonfr66530@notify.bestcase.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 8